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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,925	06/18/2007	Guy Metral	59648US005	2132
32692	7590	06/18/2008		
3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427 ST. PAUL, MN 55133-3427			EXAMINER GUSHI, ROSS N	
			ART UNIT 2833	PAPER NUMBER
			NOTIFICATION DATE 06/18/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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LegalDocketing@mmm.com

# Office Action Summary

**Application No.**

10/598,925

**Applicant(s)**

METRAL ET AL.

**Examiner**

ROSS N. GUSHI

**Art Unit**

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-13 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/CIS)  
Paper No(s)/Mail Date 4/18/07  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102 and 35 USC § 103*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the anticipatory rejections under 35 U.S.C. 102 made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in —

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a);

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Murayama et al. ("Murayama"). Per claim 1, Murayama discloses a telecommunications module (100) having a housing (20, 60) and pairs at least two pair of contacts (80) exposed at the front of the housing, the pairs of contacts being adapted to connect wires therewith, the housing being provided with at least one slot (61c, 22) at a location

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between two pairs of contacts, the slots being open at least one side of the housing extending between the front and rear of the module so as to allow at least a portion of at least one shield plate (90) and/or at least a portion of a grounding rail (30), which is adapted to electrically contact the shield plate, to be inserted into the slot.

Per claim 2, the slot (61c) is open at opposed sides of the module, the slot (61c) having a shorter extension on one of the sides (in particular, the slot 61c has a small opening where ground terminal 70 extends through one side of the module and a larger opening where second portion 92 extends rearwardly).

Per claim 3, the housing has at least one engagement member (the portion of insulator 60 held in incision 94) in the vicinity of the slot to engage with a shield plate (at 94) inserted into the slot.

Per claim 4 the engagement member includes an internal projection extending into the slot.

Per claim 5 there is a shield plate (90) and at least one grounding rail (30)

Per claim 6, the shield plate (90) has an engagement member (94) adapted to position the shield plate in the slot.

Per claim 7 the engagement member 94 includes a slit formed in the direction of insertion of the shield plate into the slot of the telecommunications module.

Per claim 8 the shield plate has includes at least one widened portion (91) at a front thereof.

Per claim 9 the grounding rail (30) extends in a plane parallel to one of the said sides of the telecommunications module, the portions contacting the shield plates extending at an angle of approximately 90 degrees to the plane of the grounding rail.

Per claim 10 there are a grounding contacts (70) electrically connected with the grounding rail.

Claim 13 is rejected for the reasons pertaining to claims 1-10.

Claims 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murayama.

Regarding claim 11 at the time of the invention, it would have been obvious to vary the number of pairs of the contacts and shield plates, including having eight pairs of contacts and seven shield plates. Such a modification would have been a mere duplication of parts without patentable significance given that no new or unexpected results would have been produced. In re Harza, 274 F.2d 669 (CCPA 1960).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murayama in view of Akama et al. ("Akama"). Regarding claim 12, Murayama does not disclose the mating plug. Akama discloses a similar balanced transmission connector including mating connectors (31, 32). At the time of the invention, it would have been obvious to mate the Murayama connector with an appropriate mating connector, similar to the connector 31 of Akama which discloses appropriate ground contacts 312 (which contacts an appropriate opposite shield plate 322, similar to Murayama ground contacts 70) and signal contacts 311. The suggestion or motivation for doing so would have been to transmit electrical signals as taught in Akama. As noted in Akama, the connectors can be configured for cable or board mounting (see figure 17a of Akama).

At the time of the invention, it would have been obvious to configure the mating connector as a cable connector as taught in Akama. The suggestion or motivation for doing so would have been to easily position the connector, such motivation being well known in the art.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (571) 272-2005. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Renee Luebke, can be reached at 571-272-2009. The phone number for the Group's facsimile is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ross N. Gushi/

Primary Examiner, Art Unit 2833